

DECLARATION FOR PATENT APPLICATION

As the below-named inventors, we hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **NMR-SOLVE METHOD FOR RAPID IDENTIFICATION OF BI-LIGAND DRUG CANDIDATES**, the specification of which

 X is attached hereto as Attorney Docket No. **P-TB 3897.**

 was filed on as Application
Serial No. (Attorney
Docket No.)

and was amended on (or amended through) .
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to myself to be material to patentability as defined in Title 37, Code of Federal Regulations, Sec. 1.56.

Under Sec. 1.56, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and (1) It establishes, by itself or in combination with other

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information, a prima facie case of unpatentability of a claim; or (2) It refutes, or is inconsistent with, a position the applicant takes in: (a) Opposing an argument of unpatentability relied on by the U.S. Patent and Trademark Office, or (b) Asserting an argument of patentability.

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
09/326,435	June 4, 1999	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of first inventor: **Daniel S. Sem**

Inventor's signature: *Daniel S. Sem*

Date: 6/2/00

Residence: United States of America

Citizenship: United States of America

Post Office Address: 12501 Dormouse Road,
San Diego, California 92129

Full name of second inventor: **Maurizio Pellecchia**

Inventor's signature: *Maurizio Pellecchia*

Date: 6/2/00

Residence: United States of America

Citizenship: Italy

Post Office Address: 1505 Robinson Avenue
San Diego, California 92103

Full name of third inventor: **Anna Tempczyk-Russell**

Inventor's signature: *Anna Tempczyk-Russell*

Date: 06-02-00

Residence: United States of America

Citizenship: Poland

Post Office Address: 4785 Caminito Borrego,
San Diego California 92130

Docket No.: P-TB 3897
Applicants or Patentees: Sem et al.
Serial or Patent No.: Unassigned
Filed or Issued: Herewith
For: NMR-SOLVE METHOD FOR RAPID IDENTIFICATION OF BI-LIGAND
DRUG CANDIDATES

VERIFIED STATEMENT (DECLARATION) CLAIMING
SMALL ENTITY STATUS (37 CFR 1.9(F) AND 1.27(C))
SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business concern identified below:

☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: TRIAD THERAPEUTICS, INC.

ADDRESS OF SMALL BUSINESS CONCERN: 5820 Nancy Ridge Drive
Suite 200
San Diego, California
92121

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

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I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled NMR-SOLVE METHOD FOR RAPID IDENTIFICATION OF BI-LIGAND DRUG CANDIDATES by inventors DANIEL S. SEM, MAURIZIO PELLECCCHIA, ANNA TEMPCZYK-RUSSELL as described in

☒ the specification filed herewith
☐ application serial no. **, filed **
☐ patent no. , issued

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME:

ADDRESS:

- ☐ INDIVIDUAL
☐ SMALL BUSINESS CONCERN
☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any

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maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Daniel S. Sem
TITLE IN ORGANIZATION: Vice-President, Biophysics
ADDRESS OF PERSON SIGNING: TRIAD THERAPEUTICS, INC.
5820 Nancy Ridge Drive
Suite 200
San Diego, CA 92121

SIGNATURE: Daniel S. Sem

DATE: 6/2/00